



October 8, 2004

Mr. Art Williams
Louisville Metro Air Pollution Control District
850 Barret Avenue
Louisville, Kentucky 40204-1745

RE: Informal Comments Regarding STAR Program Draft Regulations

Dear Mr. Williams:

Rohm and Haas Company appreciates the opportunity to submit informal comments regarding the STAR Program Draft Regulations. We have made a first pass review of the proposed regulatory package, but have not had time for a thorough technical or legal review.

Rohm and Haas Company fully supports the comments made by Greater Louisville Inc. (GLI). We will not reproduce them here, but will instead highlight a few of our main issues.

A regulatory package as significant and complicated as the STAR program should be developed through a stakeholder process. We believe this is the most efficient way to address the regulatory issues that have been raised. We request that the APCD Board approve a stakeholder process to work through the issues of these draft regulations. As proposed, the draft regulations are unworkable by both industry and LMAPCD.

Air quality would continue to be improved during this stakeholder process as many industry projects for significant emissions reductions are implemented in compliance with regulations and voluntary commitments. Further, the proposed studies to identify other area sources that need attention could continue while the stakeholder process proceeds. This is the intent of the Risk Management Plan that LMAPCD led and agreed to as a participant of the WJCCTF.

We are concerned that process modifications to comply with these regulations will not be technically feasible. Based on preliminary compliance calculations for four Rohm and Haas chemicals, we will not be able to meet the goals of the new regulation. In each case we studied, modeling indicates a 1 in a million risk will be exceeded. In each case emissions are already well controlled and further reductions may not be possible or will be prohibitively expensive.

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For these cases, numerous individual special exemptions will be required to be granted by the Board. A program that relies on multiple special exemptions will be a regulatory nightmare, not be embraced by the community, and will discourage businesses, not just industry, from expanding and/or relocating to Louisville.

We are concerned that the health standards defined in these regulations are excessively conservative. As the science of human health, the probability of exposures, and any resulting effect is very complicated, at a minimum, we request that toxicology and probability experts join with the community, environmentalists, LMAPCD, city government, and industry on the stakeholder team.

Another reason for the need for involvement of toxicology experts with this program is to stay abreast of the changes in the science of the potential toxicity of chemicals. Specifically, ethyl acrylate has been delisted as a human carcinogen but still appears as such on the LMAPCD list.

Thank you again for the opportunity to submit informal comments on the proposed regulations. We will provide additional detailed comments during the formal comment period. We look forward to participating on the stakeholder group.

Sincerely,

Jane G. Bowen
Plant Manager
ROHM AND HAAS COMPANY,
LOUISVILLE PLANT

cc: Don Neman, Rohm and Haas Company
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